

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** ARIZONA VALLEY FEVER WEEK ***

[M11-374]

WHEREAS, Valley Fever infections have increased significantly in Arizona over the last decade, with 60% of all reported cases of Valley Fever in the U.S. occurring in Arizona; and

WHEREAS, Valley Fever is the second most commonly reported infectious disease in Arizona; and

WHEREAS, enhanced surveillance of Valley Fever cases demonstrates the serious impact Valley Fever has on the health of our citizens and on Arizona's healthcare system; and

WHEREAS, the Arizona Department of Health Services, governmental entities, corporations, and organizations are united to educate the public and healthcare providers about Valley Fever in Arizona; and

WHEREAS, through public education and promoting early diagnosis, the number of individuals impacted by Valley Fever may be reduced; and

WHEREAS, Arizona is the focal point of quality clinical care and research for Valley Fever.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2-10, 2011 as

*** ARIZONA VALLEY FEVER WEEK ***

in recognition of the outstanding treatment and research conducted by the Valley Fever Center for Excellence at the University of Arizona and of the advances in Valley Fever education and public health by the Arizona Department of Health Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** CREDIT UNION DAY ***

[M11-371]

WHEREAS, credit unions are not-for-profit financial cooperatives, democratically owned and operated, and founded by people working together toward economic advancement; and

WHEREAS, credit unions embrace a "people helping people" philosophy through the pooling of personal resources and leadership abilities for the good of the cooperative, empowering members to improve their financial futures, and uniting to help those in need; and

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WHEREAS, credit unions have demonstrated outstanding leadership throughout the communities in which they have served since they were founded more than 150 years ago; and

WHEREAS, credit unions have championed the idea that people from all walks of life should have access to affordable financial services offered by credit unions; and

WHEREAS, credit unions empower people to improve their economic situations in 97 nations around the world at more than 54,000 credit unions that serve the needs of 186 million people, including 1.5 million credit union members in Arizona; and

WHEREAS, credit unions are developing strong alliances that make financial democracy possible in many countries throughout the world.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 20, 2011 as

*** CREDIT UNION DAY ***

and encourage citizens to recognize the many contributions credit unions have made to the communities in this Great State.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** WEATHERIZATION DAY ***

[M11-370]

WHEREAS, the Weatherization Assistance Program, the nation's largest residential energy efficiency program, was initiated in 1976 in response to the energy shortage to states and communities, assisting low-income families to have more energy efficient, safe, and healthy homes; and

WHEREAS, the Program conducts computerized energy audits and uses advanced technologies to determine the energy efficiency needs of a home, and has provided sealing of duct systems; insulating of attics, walls, and floors; installing of storm windows; repairing and retrofitting of furnaces and air conditioning systems; detection of leaking gas, and other improvements to more than 5.5 million homes throughout the country; and

WHEREAS, the Program, administered by the Governor's Office of Energy Policy, in cooperation with the state's network of local service providers, has weatherized more than 7,000 homes since 2009, affecting hundreds of thousands of people, many of whom are elderly, disabled, and children; and

WHEREAS, the Program's local service providers consider weatherization a vital part of its overall effort to help people of low income gain energy-efficient, affordable, and safe housing, and other basic necessities that enable them to advance socially and economically; and

WHEREAS, the Program not only assists families working toward self-sufficiency, but also contributes more broadly to the improvements and progress of communities by eliminating carbon emissions, stimulating local economies through the purchase of goods and services, creating jobs, and stabilizing neighborhoods; and

WHEREAS, the Program has gained the growing support of public and private interests because of its proven effectiveness and its recognized potential to do more for the common good; and

WHEREAS, it is widely agreed that it is in the best interest of our government and others in the public and private sectors to work together to support and strengthen this Program that has done so much for so many in our state, for the betterment of all.

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NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 30, 2011 as

*** WEATHERIZATION DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer
GOVERNOR**

DONE at the Capitol in Phoenix on this twelfth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:
Ken Bennett
Secretary of State**

*** YOUTH SPORTS DAY ***

[M11-369]

WHEREAS, student athletes ages 12-18 need to be encouraged to stay in school, lead healthy lifestyles, and be financially responsible; and

WHEREAS, Arizona has a coalition of private, non-profit, academic, and governmental institutions who believe that today's student athletes are tomorrow's community leaders; and

WHEREAS, adults, organizations, and students involved in sports, who are making significant contributions to community service should be recognized; and

WHEREAS, it is important to provide educational workshops on careers, scholarships, healthy lifestyles, and personal financial management, as well as sports clinics, to youth from throughout Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 22, 2011 as

*** YOUTH SPORTS DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer
GOVERNOR**

DONE at the Capitol in Phoenix on this twelfth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:
Ken Bennett
Secretary of State**

*** ARIZONA SCIENCE AND TECHNOLOGY MONTH ***

[M11-378]

WHEREAS, Arizona is an intellectual center and emerging world leader for advances in Aerospace, Aviation and Defense, Semiconductor and Electronics, Information Technology, Optics, Life Science, Health Science, Renewable Energy and Telecommunications; and

WHEREAS, new jobs in Arizona are growing most rapidly in areas that require strong foundations in science, technology, engineering, and mathematics, and is experiencing a critical shortage of workers who are skilled in these areas, limiting our state's ability to compete in the global marketplace; and

WHEREAS, Arizona is now focused on ushering in the next generation of great scientific and technological leaders and must cultivate the scientific talents of all its students; and

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WHEREAS, given the growing threat to America's preeminence in science and technology, public celebrations of science, technology and education, such as the Arizona SciTech Festival Initiative, are critical to raising student and public awareness of the impact science and technology have on our lives, and to inspire the next generation of scientific leaders.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 2012 as

*** ARIZONA SCIENCE AND TECHNOLOGY MONTH ***

and encourages all Arizonans to extend their support to students of all ages who are interested in science and technology.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this fourteenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA CONSTRUCTION CAREER DAYS ***

[M11-367]

WHEREAS, the mission of the Association for Construction Career Development (ACCD), a 501(c)3 non-profit organization, is to support and promote the construction industry through education and employment; and

WHEREAS, the Arizona Construction Career Days (AzCCD) event reaches out to high school students throughout the State of Arizona to give them hands-on construction experience, and offers a workforce development tool to support the pipeline that will provide the professionals of tomorrow; and

WHEREAS, the AzCCD event that began as a partnership between Federal Highway Administration and the National Association of Women in Construction, has grown to incorporate several entities, including the Army National Guard, the Arizona Department of Transportation, Federal Highways, Associated General Contractors of America, and the Arizona Department of Education; and

WHEREAS, the AzCCD venue is designed to attract a new generation and assure the legacy of those who came before; and

WHEREAS, the AzCCD event is a collaboration of industry leaders coming together to support the creation of a highly qualified workforce required for Arizona's economy to move forward; and

WHEREAS, the U.S. Bureau of Labor statistics has reported that the construction industry, which currently employs 5.5 million people, needs to attract new workers each year to replace workers retiring or leaving the industry, and that approximately 60 percent of all new jobs in the 21st century will require skills possessed by only 20 percent of the existing workforce.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 20-21, 2011 as

*** ARIZONA CONSTRUCTION CAREER DAYS ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this seventeenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA HOME HEALTH CARE MONTH ***

[M11-387]

WHEREAS, delivering quality home health care and useful comparison information to consumers is a high priority at the federal level and in Arizona; and

WHEREAS, home health quality measures are available at both the national and state levels to help consumers choose a home health agency; and

WHEREAS, Arizona home health agencies continually engage in quality improvement efforts and offer cost-efficient skilled nursing care and therapy services to patients in their own homes; and

WHEREAS, Arizona home health providers, health care organizations, state agencies, consumer advocates, community-based organizations, and the Arizona quality improvement organization have formed a strong, collaborative partnership in support of improving quality of care; and

WHEREAS, each November, National Home Care Month is celebrated to honor caregivers who make a remarkable difference in the lives of the patients and families they serve.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2011 as

*** ARIZONA HOME HEALTH CARE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighteenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA HOSPICE & PALLIATIVE CARE MONTH ***

[M11-388]

WHEREAS, hospice and palliative care provides patients and families high quality care during life-limiting illness and at the end of life, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support; and

WHEREAS, hospice and palliative care allows patients to live fully until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, numerous Arizonans living with a life-limiting illness, and their families, have received care from hospice and palliative care programs in communities throughout Arizona; and

WHEREAS, professional and compassionate hospice staff, including physicians, nurses, social workers, therapists, counselors, health aides, volunteers, and clergy, provide comprehensive care focused on the wishes of each individual patient; and

WHEREAS, providing high-quality hospice and palliative care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care; and

WHEREAS, hospice and palliative care providers encourage all people to learn more about options for care and to share their wishes with family, loved ones, and their healthcare professionals.

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NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2011 as

*** ARIZONA HOSPICE & PALLIATIVE CARE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighteenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA INSURANCE INDUSTRY DAY ***

[M11-389]

WHEREAS, when people and communities in Arizona need to insure economic risks they cannot afford to bear themselves, it becomes the duty and privilege of the insurance industry to assume these risks and to encourage risk management programs in cooperation with municipal and state authorities; and

WHEREAS, the availability of insurance provides financial stability, minimizing the disruption of lives and the economy in times of catastrophe and loss; and

WHEREAS, ethical conduct, good faith, and fair treatment benefit consumers, claimant, and the insurance industry; and

WHEREAS, the continuing education of men and women serving the insurance industry enhances the quality of service; and

WHEREAS, the Central Arizona Chapter of the Society of Chartered Property and Casualty Underwriters was organized to promote continuing education and ethical conduct of insurance professionals.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 9, 2011 as

*** ARIZONA INSURANCE INDUSTRY DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighteenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA PHARMACIST MONTH ***

[M11-390]

WHEREAS, pharmacy is one of the oldest of the health professions concerned with the health and well-being of all people; and

WHEREAS, today, there are over 260,000 pharmacists licensed in the United States providing services to assure the rational and safe use of all medications as an alternative to more expensive medical procedures, which is becoming a major force in moderating overall health care costs; and

WHEREAS, today's powerful medications require greater attention to the manner in which they are used by different patient population groups – both clinically and demographically, and it is important that all users of prescription and non-

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prescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and

WHEREAS, pharmacists are specifically educated with a focus and level of expertise on medication therapy, and are ideally suited to work collaboratively with other health care providers and patients to improve pharmaceutical use and outcomes by providing services through medication therapy; and

WHEREAS, pharmacists provide both expertise and accessibility which are crucial to patients fully optimizing access to medications that are not self-administered such as, but not limited to immunizations; and

WHEREAS, pharmacists are best positioned to be the health care professionals to help ensure patients are adherent to their medications, and provide patient care that ensures optimal medication therapy outcomes; and

WHEREAS, the American Pharmacists Association and the Arizona Pharmacy Alliance have declared October as American Pharmacist Month with the theme "Know Your Medicines – Know Your Pharmacist."

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 2011 as

*** ARIZONA PHARMACIST MONTH ***

and urge all our citizens to acknowledge the valuable services of pharmacists who provide safe, affordable, and beneficial pharmaceutical care services and products to all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighteenth day of October in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detri-

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mental to job creation and retention in this State; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State